(d) Comments

In responding to the office action, applicant wishes first to distinguish the current invention from

A. Current patent v. prior art remailers

US Patent No. 6,591,291 (Gabber et al.), cited by the examiner, makes reference to a class of prior art remailers. Gabber, in which the user sends his message to a recipient via a remailer, remails the user message to the recipient using an alias email address. The recipient may respond to the user by sending the response to the alias email address, after which the remailer sends the response back to the user at his actual email address.

Gabber further notes that such a prior art remailing system requires a stored database of correspondences between user email addresses and the corresponding alias in each case.

This prior art remailer satisfies the user's desire for anonymity. However, it gives users very little else. It does not allow the user to exercise any control over the messages he receives. This prior art remailer system does not even provide the user with information identifying the alias address used. Thus the user is not even able to filter out messages which were transmitted back to the user by the remailer.

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This prior art remailer generates a new alias address each time a message is sent to a different recipient. Thus, even if the user was able to identify the alias address for each message, he would be faced with a huge number of alias addresses to deal with, and would require additional processing not provided by the remailer to organize the results.

The present invention, in contrast, provides the following capabilities:

(a) The user may generate a new alias address prior to first use, and is apprised of its identity at the time of generation.

(b) Generation of the alias address is performed by a non-browser process running on the user's computer.

(c) Alternatively, the user may send email using a previously generated alias address.

(d) The user may append identification information to each alias address, which will appear on the subject line of each message received by the user processed through said alias address, and which then may be filtered using the filters available through many email clients.

(e) The user may append body text to each alias address, which will appear on the subject line of each message received by the user processed through said alias

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address, and which then may be filtered using the filters available through many email clients.

(f) The user may append message information to each alias address, which will appear appended to the message received by the user processed through said alias address, to remind the user why this particular alias was generated.

(g) The user may control the receipt of email containing the alias address at the Alias Email server. Thus, any email containing a specified alias address may be permanently stopped, or temporarily suspended, or unsuspended.

(h) The user may access a log of activity at the Alias Email server, to identify email activity corresponding to each alias address.

In particular, these features of the current invention allow the user to identify which recipient has made the alias address available to others. This results because the identification information and the body text will remind the user which recipient corresponded to a particular alias address, and the user will be able to note whether the sender of the current message is the recipient (or member of a class of recipients) for whom the alias was generated.

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B. Current Patent v. Gabber

The Gabber patent does not use a stored database of correspondences between user email addresses and corresponding aliases. Instead, Gabber generates an alias that contains both the user address and the recipient address. This alias is encoded or encrypted so that user address and recipient address are not apparent to anyone viewing the alias address. When the recipient wishes to send a message back to the user the Alias Email server of Gabber decodes or decrypts the alias address to recover the user address, and then forwards the message to the user.

Note that Gabber thus creates a separate alias for each and every recipient to which a message is sent by the user.

Gabber does not maintain a record of activities of its Alias Email server which would allow the features recited above in paragraphs (a) through (h). To do so would defeat the entire philosophy of Gabber, which is to avoid keeping such records to enhance the privacy of the user.

Gabber does allow one level of information about attempted misuse of the user's email address. When a message is intercepted by the Gabber Alias Email Server, which decodes or decrypts the alias address into the user address and recipient address, it may determine that the

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current actual recipient address does not correspond to the decoded recipient address. It thus may provide this information to the user.

Under such circumstances the user may provide a filter to stop such messages from reaching him. Note, however, that such filtering must be provided by the user external to the Gabber Alias Email Server. And it further remains to the user to deal with the unwieldy multiplicity of aliases, as no organizational features are provided by the Gabber system.

The current invention, in contrast, allows a single alias to be used for groups or classes of recipients, so that the management of filtering is substantially simplified. In the present invention, such filtering features are provided at the Email Alias Server level.

Finally, it is noted that Gabber does not function without including both the user address and recipient address in its alias address.   No such requirements exist in the present invention.

C. Regarding new base claim 24

Claim 24 is now the single independent method claim. It contains the limitations of claim 1, now cancelled, and in addition some other limitations which distinguish it from Gabber. In particular, the alias email address in

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claim 24 does not include either the user physical email address nor the recipient's email address, either explicitly, nor in encoded form. Gabber, in contrast, requires both of these addresses in order to decode replay messages, so that they can be sent to the user. Claim 24 uses storage at the alias email server which contains the required information, rather than performing decoding.

Secondly, claim 24 performs the filtering at the alias email server, which is impossible in Gabber, since no information is stored which would allow such filtering at the alias email server. Filtering at the alias email server is important, especially when a particular alias email address is no longer required, because it can simply be "disposed of" (*ergo* the term "disposable addresses") by the alias email server removing it as a recognized address. Gabber, in contrast requires that blocking be done by the user, either by special software, or by filtering at the user's email client, which has, by necessity, limited filtering capabilities, typically limited to designating 5 or 10 addresses which can be blocked.
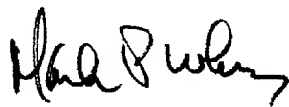
Secondary Standard of Non-Obviousness

Regarding the rejections of all the claims listed in accordance with 35 USC 103(a), the Applicant respectfully disagrees. Even if, arguendo, the Examiner makes a *prima*

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facia case with the cited US Patents, the *prima facia* case
is rebutted by the evidence produced and attached in the
Affidavit and attached Exhibits to this Amendment which
prove that the present invention fulfills a long-felt need
in the industry for managing SPAM, and also because of the
commercial success of the applicant's product based on the
invention disclosed and claimed. An affidavit/declaration
in accordance with 37 C.F.R.§ 1.132 is attached hereto.

In accordance with the secondary standards of Graham
v. John Deere Company a *prima facia* case of obviousness,
even if established, is rebutted by proof of the fulfilling
by the present invention of a long felt need in the
computer/Internet industry. Graham v. John Deere Co., 383
US 1, 148 USPQ 459 (1966).

In accordance with these amendments it is believed
that the current application is in condition for approval,
which is hereby requested.

Respectfully submitted on July 22, 2004 by Attorney
for the Applicant

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